

above amendments and the following remarks are submitted as a full and complete Response thereto. Therefore, Applicants request reconsideration and allowance of the application of the application. On page 5 of the Office Action, the Examiner has indicated that claims 1-4 have been allowed. Applicants wishes to thank the Examiner for this indication of allowable subject matter. Thus, claims 1-16 are pending in the application. No new matter has been added.

I. SPECIFICATION

The Office Action objected to the specification because pages 49-55 included a listing of the reference elements corresponding to the elements shown in Figures 1-20. The Office Action requested that Applicants include the information contained on pages 49-55 into the figures.

As requested by the Office Action, Applicants have incorporated the information listed on pages 49-55 into Figs. 1-20. Applicants have also deleted pages 49-55 from the specification. Therefore, Applicants respectfully request the withdrawal of this objection.

II. DRAWINGS

The Office Action requested that new drawings be submitted since text written on the drawings was not in English. The Office Action also indicated that the Applicants were given a two-month response period to submit the new drawings.

However, Applicants' representative contacted the Examiner on September 6, 2001 to inquire about the discrepancy between the due date for the submission of the new drawings being set for a two-month time period and the due date to respond to the Office

Action being set for a three-month time period. To resolve the conflict between the two different response periods, the Examiner agreed to provide Applicants with three months to submit the new drawings, without incurring any extension fees. The Examiner also indicated that, in order to put the drawings in condition so that the application could be properly examined, the Applicants only need to submit informal drawings with the submission of this Response.

Pursuant to the Examiner's request, Applicants have amended Fig. 1-20 to include the information contained on pages 49-55 of the originally filed application and to edit the text of the drawings to be in English. Therefore, Applicants respectfully request the withdrawal of the objection to the drawings. Upon approval of the attached Request for Approval of Drawing Corrections, formal drawings will be timely filed.

### III. CLAIM REJECTIONS UNDER 35 USC § 103

Claims 5-16 were rejected under 35 USC § 103(a) as being unpatentable over Niblack (U.S. Patent No. 6,181,342 ) in view of Fraser (U.S. Patent 5,729,252).

Although the Office Action admitted that Niblack does not explicitly teach the concept of a still image and a moving image as recited in the claims 5, 12, 14, and 15 of the invention, the Office Action alleged that Niblack inherently teaches these features because Niblack discusses photographic images which may be still images and video images which may be moving images. In addition, the Office Action relies upon the teachings of Fraser to attempt to further bolster the deficiencies of Niblack. Applicants respectfully disagree with the analysis and the conclusion asserted in the Office Action.

Claim 5 of the invention recites an image information presentation system which

includes a material storage means, a material listing means, an image specification means, and a presentation preparation means. The material storage means stores listing image information of a still image and a moving image. The material listing means lists the image information in the material storage means on a display means. The image specification means enables specification of more than one piece of image information listed on the display means. The presentation preparation means reads all images specified with the image specification means in a batch into templates having related pages of a template as one page into which images are inserted for preparing an image information presentation document.

Claim 12 of the invention recites an image presentation method comprising the first step of listing from material storage means for storing image information including a still image and a moving image. The second step includes specifying more than one piece of the image information listed at the first step with image specification means. The third step of claim 12 includes reading all image information specified at the second step in a batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

Claim 14 recites a computer data signal embedded in a carrier wave for executing an image information presentation system. The computer data signal is for executing the following steps. The first step includes the process of listing from material storage means for storing image information including a still image and a moving image, the image information on display means. The second step includes specifying more than one piece of the image information listed at the first step with an image means specification. The

third step includes reading all image information specified at the second step in batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

Claim 15 recites a medium storing an image information presentation system program for executing the following steps. The first step includes the process of listing from material storage means for storing image information including a still image and a moving image, the image information on display means. The second step includes specifying more than one piece of the image information listed at the first step with an image means specification. The third step includes reading all image information specified at the second step in batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

As a result of the claimed configurations and methods, an image presentation system is provided having pages which are related to each other in a hierarchical structure so that the pages can be easily edited.

Applicants respectfully submit that the cited references fail to teach or suggest the claimed features of the invention as required to render the invention obvious, and thereby fails to provide the critical and non-obvious advantages which are provided by the claimed invention.

Niblack discloses a computer file directory system that displays visual summaries of visual data in order to identify the content of the document stored on a desktop computer. Niblack states that the visual data may include images, graphs, charts, spreadsheets,

slides, Web pages, and word processing data with embedded images, and videos. (Niblack, col. 3, lines 9-11). The computer of Niblack also includes computer readable code means for generating a respective visual summary of the visual data, such as thumbnails for images or filmstrips, animated images, or storyboards for video data. Computer readable code means are provided for receiving a user's request for a listing of documents stored on the computer. Niblack alleges that, in response to a user's request, the computer readable code means present a display including a listing of the visual summaries. To generate the visual summary for any image documents (i.e., image file or a video file), Niblack creates "a single thumbnail" of the image as the visual summary of the underlying visual data contained in the file. (Niblack, col. 7, lines 5-10 and lines 46 - 50). The thumbnail is merely a small still image representation of the visual data.

Fraser teaches a multimedia program editing system and method for interposing stored images into a moving video within a multimedia computer program. Prior to the beginning of a multimedia presentation, a digital image of each visual aid that will be displayed upon the projection screen is stored within an image memory. Each stored image is indexed with a particular identifying code enabling the multimedia processor to selectively retrieve the data representing an image according to its associated identifying code. The digital images of the visual aids may be obtained by optical scanning, capturing a high-resolution image with a video camera or directly importing files representing computer-generated graphics. (Fraser, col. 2, lines 16 - 25).

In Fraser, as the presentation being made by an individual progresses, an image is projected upon the projection screen. If, during the presentation, the camera encounters a projected bar code, the image processor detects and recognizes the pattern of the bar

code within the signal received from the camera. In response, the multimedia processor retrieves from the image memory the previously stored image corresponding to the recognized identifier code. This retrieved image is then inserted into the digital record of the presentation being compiled by multimedia processor in lieu of the images directly received from the video camera by the multimedia processor. In essence, Fraser discloses a system and method by which a multimedia record of a live event can be augmented with previously stored visual aids. Fraser also discloses a possible modification to its invention, which may include retrieving full motion video sequences in response to detecting and recognizing an image identifier, and substituting the retrieved video sequences for the live video being captured by a video camera.

To establish a prima facie case of obviousness, the prior art reference (or references when combined) must teach or suggest all of the claimed limitations. There must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. The teaching or suggestion to make the claimed combination must be found in the prior art, and not be based on Applicants' disclosure. See, M.P.E.P. §§ 2143.01 and 2143.03.

Although both Niblack and Fraser disclose the concept of video images, it is respectfully submitted that the application of the video images in each reference teaches away from the combination as suggested in the Office Action. Thus, it is respectfully submitted that no motivation exists to combine Niblack and Fraser because it would be necessary to make significant modifications, not taught or suggest in Niblack, in order to combine the references in the manner suggested by the Office Action. For instance,

Niblack states the underlying visual data may include a video. However, the visual summary of the visual data is merely a single image of the underlying visual data. In order to display the visual summaries of Niblack, Niblack creates a single thumbnail as still image to summarize the underlying visual data. Thus, the purpose of Niblack is to only disclose a single thumbnail which corresponds to a portion or a segment of the underlying visual data.

Niblack specifically defines that "a visual summary is a digital image . . . with the visual summaries containing a fraction of the information in the parental visual data." (Niblack, col. 5, line 66 - col. 6, line 3). In comparison, Fraser relates to storing a digital image into a memory device and incorporating the entire stored digital image into an oncoming live presentation. In order for Niblack to display a moving image, Niblack would need to teach or suggest at least the concept of generating a sequence of multiple data images and having the capability of recording and playing back this sequence as a thumbnail. However, Niblack is void of such a teaching or suggestion.

Thus, the suggested combination of references would require a substantial reconstruction and redesign of the elements shown in Niblack (the primary reference) as well as a change in the basic principle under which the Niblack's construction was designed to operate. Namely, the basic principle of Niblack is to provide a visual summary, which represents only a fraction of the information contained in the parental visual data, and is not to provide a replay of the entire image. To modify Niblack to include the necessary equipment to display moving images would require a substantial redesign which is not taught or suggested by Niblack. This is evidence of an improper rejection under 35 U.S.C. § 103. In re Raitti, 270 F.2d 810, 123 USPQ 349 (CCPA 1959). Thus, it would not have been obvious to one of ordinary skill in the art to modify Niblack with Fraser to render

the claimed invention obvious since the proposed modification would change the principle operation of Niblack.

In sum, Niblack and Fraser fail to teach or suggest claim 5 of the invention because it would not have been obvious to one of ordinary skill in the art to combine and modify the cited references to render an image information presentation system which includes a material storage means, a material listing means, an image specification means, and a presentation preparation means, wherein the material storage means stores listing image information of a still image and a moving image, as recited in claim 5.

In addition, claims 6-12 depend from claim 5, and are therefore allowable at least for the reasons claim 5 is allowable and for the specific limitations recited therein.

Furthermore, Niblack and Fraser fail to teach or suggest claim 12 of the invention because it would not have been obvious to one of ordinary skill in the art to combine or modify the cited references to render an image presentation method comprising a first step of listing from material storage means for storing image information including a still image and a moving image, a second step of specifying more than one piece of the image information listed at the first step with image specification means, and a third step of reading all image information specified at the second step in a batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

In addition, claim 13 depends from claim 12, and is therefore allowable at least for the reasons claim 12 is allowable and for the specific limitations recited therein.

Likewise, Niblack and Fraser also fail to teach or suggest claim 14 of the invention because it would not have been obvious to one of ordinary skill in the art to combine or



modify the cited references to render a computer data signal embedded in a carrier wave for executing an image information presentation system, wherein the computer data signal is for executing a first step of listing from material storage means for storing image information including a still image and a moving image, the image information on display means; a second step of specifying more than one piece of the image information listed at the first step with an image means specification, and a third step of reading all image information specified at the second step in batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

Niblack and Fraser also fail to teach or suggest claim 15 of the invention because the motivation does not exist within the cited references to render obvious a medium storing an image information presentation system program for executing a first step of listing from material storage means for storing image information including a still image and a moving image, the image information on display means, a second step of specifying more than one piece of the image information listed at the first step with an image means specification, and a third step of reading all image information specified at the second step in batch into templates having related pages of a template as one page into which the images are inserted and preparing an image information presentation document by presentation preparation means.

In addition, claim 16 depends from claim 15, and is therefore allowable at least for the reasons claim 15 is allowable and for the specific limitations recited therein.

For at least these reasons, Applicants respectfully submit that claims 1-16 are patentable over the cited references.

IV. ALLOWED CLAIMS

Applicants again wish to thank the Examiner for his indication of the allowance of claims 1-4.

V. CONCLUSION

The Office Action has failed to establish a prima facie case of obviousness for purposes of a rejection of claims 5-16 under 35 U.S.C. § 103 because there is no motivation to combine the cited references. For at least the above reasons, Applicants respectfully submit that claims 1-16 are patentable over the combination of Niblack and Fraser.

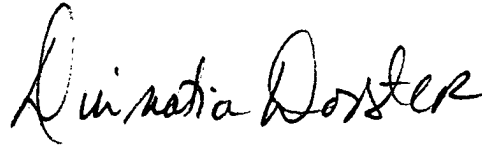
Claims 1-16 are pending in the application. Claims 1-4 have been allowed. Accordingly, Applicants respectfully request the allowance of claims 5-16 and the prompt issuance of a Notice of Allowability.

Having addressed each of the foregoing rejections or objections, it is respectfully submitted that this application is now in condition for allowance. Notice to that effect is respectfully requested. In the event that the Examiner believes that a telephone conference would expedite allowance of the application, the Examiner is invited to telephone the undersigned with any suggestions leading to the allowance of the application.

In the event this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time. The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to Counsel's Deposit Account 01-2300.

Respectfully submitted,

Arent Fox Kintner Plotkin & Kahn, PLLC

A handwritten signature in black ink, appearing to read "Dinnatia J. Doster". The signature is fluid and cursive, with the first name being the most prominent.

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Enclosures: Request for Approval of Drawing Corrections  
Petition for Extension of Time (one month)